

S (14)

DEBATES INFO

Date	Res Chap	Cal#	Senate#	Assembly#	Page#
6/2/1987		588	3409	4832	2465-2500

Memo

36PGS. \$9.00

2465

that there are no surprises and the members can plan accordingly, I propose, Mr. President, that we take up Senator Volker's bill, Calendar Number 588. Following that, it is hoped that we will address the cameras in the courtroom bill of Senator Stafford, and then we will take up the agency shop bill, Calendar Number 930, by Senator Trunzo.

May I request at this time that you call up Calendar Number 588.

THE PRESIDENT: The Secretary will read.

THE SECRETARY: On page 8, Calendar Number 588, by Senator Volker, Senate Bill Number 3409, an act to amend the Penal Law, in relation to issuance of licenses to have and carry pistols.

SENATOR VOLKER: Mr. President. This is a noncontroversial bill that -- a form of which has been around for some time. It's a bill that was developed in conjunction with people who are involved with the sportsmen in this state as well as people who have pressed for some time

2466

that the issuing of licenses^q for gun permits in this state has become somewhat ludicrous and have felt that there was -- in some cases, there were violation of rights.

Let me say first of all that as somebody who came from a law enforcement background that I would be the first to admit that in years past I had some misgivings about changing the licensing process.

And I have to tell you that as the years have gone on, and thanks to a bill that was passed in this chamber, which was prompted by the City of New York and certain media people who were convinced that the answer to the criminal justice problem in New York City was to pass a tough gun law. In fact, I remember, Senator Leichter, for some years you pushed a gun amendment. In fact, every time I introduced the death penalty, for years, you were kind enough to introduce an amendment to it that would include gun control and made some very impassioned speeches on the issue of guns; and, finally, the Senate a few years later passed what was touted

2467

to be the toughest gun control bill in the United States of America.

The net result of that, as far as anything I have seen, has been zilch. There has been no indication that I know of that any more criminals are being captured. One thing that I think is fascinating -- and as Chairman of Codes I intend, by the way, to pursue this, because it seems to me that there really hasn't been enough study. I think I know why there hasn't been enough study. That is that one of the things that has been left unsaid in this whole debate is how many people commit crimes with legal handguns. How many of the crimes in the city of New York and the city of Buffalo and the various areas of the state are committed with legal handguns? And the answer is when have you heard that someone was murdered with a legal handgun or when have you heard that someone was held up with a legal handgun? Almost never.

We are not talking, by the way, in this bill that we're going to give guns to criminals. Criminals, unfortunately, are able to

2468

get guns, anyways. What this bill basically does is, is it changes the process. What the bill would allow is those who possess a clean criminal, mental and moral record to acquire a license to carry a pistol without having to demonstrate so-called proper cause for the issuance of that license. It sets up what amounts to a presumption, instead of the present situation where the licensees agents have virtual total control over the issuing of licenses and in certain areas of this state just don't issue licenses.

So what we're basically saying here is we're trying to set up what I think is a rational licensing provision rather than the so-called special needs provision that is now used throughout the State of New York and enabling the licensing agent, the issuer to virtually determine not to give a license to someone that they decide not to, almost without any reason because they just don't deem the issuance of that license to be in the best interests of themselves or the person, or whatever.

2469

What you're doing here is . . .
using the record to determine the balance between
the public good and the individual right. I
think that many of us who have some law
enforcement background, as I say, who had great
misgivings on this issue, have looked at it over
the years and have really come to a conclusion
that what we were looking at in years past was
something that really wasn't there, and what the
setting up of a rational licensing program -- and
we think that this could be a rational licensing
program -- means to the citizens of this state.

Unless there is some reason why they
shouldn't have a pistol license, there is no
reason why they shouldn't get that pistol license.
It doesn't mean that criminals can get guns. It
doesn't mean that mentally incompetent people
can get guns. What it means is that we are
setting up a system that many of us believe makes
a great deal more common sense in the society in
which we live.

ACTING PRESIDENT FARLEY: Senator
Leichter.

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

2470

SENATOR LEICHTER: Mr. President.

We've debated this general issue of whether guns are going to be made more available in our society or whether we're going to restrict the easy access to guns in many different forms in relation to many different bills, and I know the outcome in this house is unfortunately predetermined. Fortunately, though, for the bottom line, I think better judgment is shown by the other house and by the Governor, and I assume we'll have the opportunity of debating Senator Volker's bill over and over again just as we seem to regurgitate most of the bills that come before us in this house.

But I think, Senator Volker, there are some things that have to be said, and I appreciate the sincerity, and I understand your ideological beliefs, but I think that we've got to be more careful with the facts, Senator, and that's really why I rise and try to deal with the statement that you made that, well, we haven't shown that people who have been licensed to carry guns are the ones who commit crimes. I think,

2471

Senator, what you fail to address and which is extremely important is, first of all, all of the accidents that occur in households where there are licensed guns, and that occurs over and over and over again. And certainly one of the concerns, it seems to me, that any licensing authority ought to have and which will be lost under your bill, is some assessment of the maturity, the responsibility and the ability of the person who is licensed to safely possess and use a handgun.

So we are not only talking about crime, which obviously is important, but we're also talking about public safety. And time and time again in this Legislature, appropriately, we protect people from themselves. Now, in this instance, it's not only protecting a person from himself but it's protecting innocent people who get shot every day because handguns are lying around, and that is something that should be of concern to all of us. . . I'm afraid in your bill that some of the restrictions and some of the safeguards that we have are going to be

PAULINE E. WILLMAN

CERTIFIED SHORTHAND REPORTER

2472

eliminated.

But there is another whole area that in your factual analysis you overlooked, and that is the number of licensed handguns that are stolen and then are used in the perpetration of a crime. And in fact, just yesterday, I saw a study that was made by the Legislative committee, the Assembly committee I think it is on oversight, where they cited figures that one-third of all the crimes with handguns are made or occur where the offender has stolen or possesses a handgun that has been stolen. And, here again, by making handguns more readily and easily accessible and available in our society, it means inevitably that more handguns are going to come into the hands of criminals; and by loosening your standards for licensing, it means that people are going to have handguns who either aren't going to safeguard them properly or just there's going to be more handguns available that are going to be stolen or are going to be used in the commission of a crime.

Finally, Senator, there are very

2473

compelling statistics that people who try to protect themselves with handguns -- storekeepers, for instance -- are more likely to become victimized and to be injured and to be killed because they do not know how to use the handgun. So the idea that in this dangerous society that it is a safeguard, that it is protection to have a handgun, is just absolutely wrong, and it's denied by the statistics.

In fact, some years ago, the Police Commissioner of the city of New York came up and said that their statistics show that in instances where somebody has tried to protect themselves with a handgun that -- I forget the exact odds, but it may have been 2 to 1. Those are the odds that the person who's trying to protect himself with a licensed handgun is more likely to be injured and even to be killed by the use of a handgun.

I think, though, that the underlying issue here really is whether we want to have a society where an awful lot of people are going to have handguns, whether we want to go

PAULINE E. WILLIMAN
CERTIFIED SHORTHAND REPORTER

2474

back -- maybe we've never left it -- to the frontier mentality, that everybody is going to carry a gun and everybody is going to be their own protector and everybody is going to be their own vigilante. I just reject that.

And I think when we take a look at the bloodletting that occurs in this country, the high rate of crime so much higher than in western European countries where the possession of handguns is strictly limited. Now, I appreciate there are a lot of other reasons why the crime rate in this country and the commission of crimes with handguns is so much higher than it is in western European countries; but certainly one reason is because of the easy access to guns.

And we in the city of New York, where we have a particularly serious problem, where not a day goes by that there aren't shootings that young people who have gotten hold of guns try to commit crimes or play with guns, where we have really a battlefield because of the easy availability of guns, plead with you as has the Mayor of the City, as has the police

2475

commissioner time and time again. Don't take away the minimal protection that we now have, which is licensing. Don't force more guns upon the people of this state and certainly not upon the people of the city of New York. We have enough killings already. Don't increase the number of people that are going to be killed by handguns.

ACTING PRESIDENT FARLEY: Senator Ruiz.

SENATOR RUIZ: Mr. President. I am in favor of this bill. Coming from New York City, we realize every day that the criminal elements has guns. The drug pushers not only have .38 calibers, .44 magnums, but they have machine guns of all sorts; and when they are willing and able, they will use those weapons no matter who is involved. The only people that are being victimized right now are the decent working people, store owners, small business people who have to go through a whole bunch of red tape through the police department in order to be able to get a gun permit.

2476

What happens in the city of New York is that we have no objective standards to decide who gets a gun and who doesn't get a gun. Right now, if you're politically connected, if you have wealth, you can go to the police department and you are issued a gun. But if you are a small store owner, if you have your store in the ghetto, you have been robbed a dozen or a half a dozen times, basically those standards basically will prevent you from getting a gun.

I have tried for two-and-a-half years to try to get a gun permit in the city of New York. I had a real estate business, I had grocery stores, and yet I could not get a permit in the city of New York. Yet I had my stores in neighborhoods where every thug that wanted to rob anybody carried a knife or a gun because these people didn't want to obey the law. To them, carrying a gun is part of their lives. This is what they have to do in order to be in crime, in order to be able to be the bullies in the neighborhood.

But the decent people who want to

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

2477

be law abiding, that want to go down to Police Plaza to pick up a gun, then, basically, they have to come up against this bureaucracy that says, "Well, we know you are being victimized; we know you have good reason to have a gun because you should be able to protect your business; you should be able to protect yourself; but we aren't going to give you a gun because we don't want guns in the street."

So really what is happening nowadays is that the law and the people that implement the law are preventing the decent people, the hard-working people from having firearms.

We passed legislation, as Senator Volker said, about three or four years ago making the penalties for possession of firearms higher than it ever was. I asked Senator Volker if he had the statistics as to what kind of sentences they were imposing on these people. Unfortunately, he doesn't have them. But the indication that I'm getting is that judges have been very lenient when they catch people with

2478

fire arms illegally. They let them go with suspended sentences; they let them go with, basically, six or seven month jail terms, when we actually had mandated that we wanted stiff sentences for people that were caught illegally in the possession of a gun.

So I think that this is just a start to try to get municipalities, the city of New York, to set up some objective standards where a person goes to get a gun and they will look at this person's petition in a way that doesn't say, "Well, if you are politically connected, if you contributed to the party, if you are a Donald Trump or you're a Botnick that works for the city of New York, you can get a pistol permit right away. But if you are a store owner or you're a business American that has to go into dangerous areas, basically you can't get a pistol permit.

And I say to Senator Leichter, it doesn't mean that if you get a pistol permit that the state or the city can not demand that you be trained in the use of those weapons. One of the

problems that we have in the city of New York now is that even if you do get a weapon, they don't ask you to be trained in the use of that weapon. You could go buy an automatic pistol, you could buy a .38 or a .44, and they don't ask, they don't demand of you that you be trained in the use of that particular weapon. And this is where I think, Senator Leichter, we have the problem of people shooting themselves or shooting somebody else once they do get a permit, and that is because we don't request -- in the state or the city, there's not request that these people be trained.

So I say to you that if you are going to have these standards that you are going to be issuing licenses, let's train the people. But don't prevent the good people from getting licenses, because the bad element the criminal element doesn't care about the law. They are going to go and they're going to buy the guns. Because, as Senator Leichter says, pistols, submachine guns, guns of both types, are easily available in the city of New York. So if that's

2480

the case, let's go forward now and get the good element, the hard-working, decent element in our society to be able to get access to a pistol with a permit and with proper training so they can protect their businesses and they can protect themselves.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT FARLEY: Senator Gold.

SENATOR GOLD: Mr. President. I must very respectfully disagree with my distinguished colleague from the Bronx. First of all, while I believe that each of us independently elected have our own rights of thought and do not necessarily have to do the bidding of the Mayor, who's also independently elected, the fact is that the memorandum by the City on this bill is a very important memorandum. It's a very important memorandum.

And I find it distressing that once or twice a month or a few times each session this house becomes divided by those who feel for the poor sportsman and the poor average citizen

2481

who doesn't have an arsenal in his house and those of us who are very, very concerned, just as you are, with safety throughout the state and particularly within the city of New York.

Now, we can all develop our own bumper stickers. Some say, "People don't kill; guns kill." Some say, "Guns don't kill; people kill." And I don't know how you want to look at it, but the fact of the matter is that the proliferation of firearms within an area such as the city of New York ~~must~~ not be healthy for the people who live in the city.

And, Senator Ruiz, that people get hurt because they don't have any training, let me tell you something. There is nothing in this bill that gives the training. So what we are doing is, we're taking a situation where right now, according to Senator Ruiz, we have people obtaining gun permits who are untrained. And this bill will only proliferate it. This bill will only create more people who are untrained, carrying guns.

Now, if Senator Ruiz is correct,

PAULINE E. WILLIAMS
CERTIFIED SHORTHAND REPORTER

2482

then let's take the first step. Let's get a training program into place, and then we can talk about doing something about the licensing.

In terms of the sentences, Senator Ruiz, let me just say this. I think, most respectfully, you were just incorrect. We have passed mandatory sentencing, and that has caused some problems in the courts because every once in a while, through misunderstanding, we have had people from out of town, out of the state come in and get caught with a firearm that they were licensed for or they had a right to in some way, and they find out they violated New York laws, and our DAs have been stuck with a mandatory prison term. So people aren't receiving light sentences for possession of guns. As a matter of fact, there are mandatory minimums in that regard.

But I suggest to you that one of the most dangerous things that we could do in this legislative session would be to open up the door to untrained people having more and more guns within the city of New York. That is not going to take guns away from the bad guys. It is

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

2483

not going to keep the criminals off the streets. It is just going to increase the number of guns to be stolen, the number of guns that are available, and the number of innocent people who now will be injured because they think that having this gun around is some sort of a benefit.

The city of New York very strongly opposes this legislation. It is dangerous legislation for the city of New York, and I hope it gets defeated.

SENATOR WEINSTEIN: Mr. President.

ACTING PRESIDENT FARLEY: Senator Stavisky.

SENATOR STAVISKY: Senator Volker, I wonder if you would yield for a question or two. Would the sponsor yield?

SENATOR VOLKER: Yes.

SENATOR STAVISKY: Senator, I heard your persuasive arguments that you are seeking to establish objective standards before firearms are issued; and you have suggested that before a handgun is issued -- a handgun permit is issued that you check to see if the individual

2484

has a history of mental instability or a history of conviction for felony, especially for serious felonies involving attacks upon persons or property.

I would like to see if we can come closer to each other. And I ask you, Senator Volker, would you be willing to consider the application of these reasonable standards, as you have described them, to all firearms in the State of New York, whether handguns or rifles or shotguns? Maybe we could come up with a comprehensive piece of responsible firearms legislation. Would you been willing to defer this bill and work with us in developing such a comprehensive firearms bill for all such weapons in the state?

SENATOR VOLKER: Senator, you obviously know the answer to that question.

SENATOR STAVISKY: I would never pre-judge.

SENATOR VOLKER: Pardon.

SENATOR STAVISKY: I would never pre-judge your answer.

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

SENATOR VOLKER: Obviously, what you are indicating -- first of all, I would question whether the Mayor of the city of New York, given the policy of the city of New York, would in any way, shape, form or manner agree with you. Remember that the rational policy of the city of New York right now is to try in whatever way they can to avoid the present law and not issue licenses virtually unless they are forced to do so.

Secondly, Senator, I know of no really rational reason why we should include rifles and shotguns and so forth under a licensing provision and we should back into something like that. First of all, I think it would be virtually unenforceable. Secondly, to go back to that sort of thing, obviously the sportsmen would vehemently oppose it, and I think with good reason.

And while I am answering the question, Senator, I would only point out to you that the facts have shown that the amount of recent killings in recent years by knives and

2486

clubs and hands have increased far more
enormously than they have with handguns. I'd just
like to point that out.

SENATOR STAVISKY: Senator Volker,
I think that you would not disagree that if one
individual aimed a firearm, long gun or handgun
at another individual and pulled the trigger that
the death or injury would be comparable in either
case; that rifles or shotguns kill exactly in the
same manner as handguns kill. And I am surprised,
Senator Volker, that you would not accept the
inevitarability of death if someone pointed a
long gun or a handgun at another individual and
pulled the trigger.

I think that what this indicates
is that there is a degree of hypocrisy in the
proposition that we will apply objective
standards to handgun licenses and we will not
apply objective standards to the issuance of
rifles or shotguns anywhere in the state with the
possible exception of the five boroughs where
there is some attempt. You can purchase a rifle
or a shotgun anywhere in the state. All they ask

PAULINE E. WILLIMAN
CERTIFIED SHORTHAND REPORTER

2487

you is, do you have enough money to buy that rifle or shotgun, and that weapon is as capable of killing as a handgun.

And the day that you come to us and say that you will not quake because the National Rifle Association is lobbying this Legislature, the day that you come and say, "Let us reason together with a comprehensive firearms policy for the entire state where we don't want any firearms in the hands of individuals who could kill with those weapons because they have a record of criminal conviction, because they are mentally unbalanced, because there are other good and compelling reasons why these individuals should not have firearms," then you, Senator Volker, and those of us who oppose your bill will have reached a consensus with respect to a responsible statewide policy.

I don't see that happening here. There is nothing in your bill that will prevent the theft of a firearm, which has already been pointed out on this floor. There is nothing in your bill that will prevent the individual given

2488

the handgun from showing it off and accidentally killing or maiming someone else. There is nothing in your bill that will prevent a child from having access to that legal handgun, and the child is not licensed but the parent leaves it around carelessly in the apartment, and the child has not been trained in the use of a firearm, and that child kills himself or another child. There is nothing in the legislation that prevents that.

And there is nothing in the legislation that you propose that prevent the largest cause of death in these United States. In moments of passion, unreasoning passion, people kill families and friends with firearms that are available to them in their homes -- legal firearms or illegal firearms. The availability of a firearm including a legal firearm still leads to death and injury in this country.

Senator Volker, we have killed more people in the United States with firearms, here within our 50 states in the course of American history than we have lost on all of the

2489

battlefields in all of the wars that the United States has been involved in in the course of the past 200 years, and I believe that that issue has to be addressed, not because we disagree with you or your desire to have objective standards but because we wish to reason with you on a truly comprehensive firearm policy affecting all weapons in the State of New York.

For these reasons, Senator Volker, I will vote against your bill, and I hope that others do the same thing.

ACTING PRESIDENT FARLEY: Senator Weinstein.

SENATOR WEINSTEIN: Mr. President. I will be brief because everything I wanted to say on this legislation really has been said eloquently by my colleagues Senator Gold, Senator Stavisky, Senator Leichter. But I did want to comment just a bit.

We have the opportunity each day that we're here to vote on a series of bills, legislation. Some of them have some meaning. Sometimes we have agenda I would label as silly.

2490

But I think that the agenda that we seem to be facing today, this legislation as well as legislation we will be debating in a little while, cameras in the courtroom, can be labeled in my judgment as dangerous.

This is a dangerous bill, Mr. President. It is dangerous because it will do exactly the opposite of that which the sponsor intends. We have seen it all too often, especially in the city of New York. Individuals, even those who are licensed to carry weapons, are involved in mishaps and accidents that have cost the lives of family members or have resulted in unintentional shootings.

We are a strange breed, the human being, when we can fight over a parking space or a traffic accident and that can result in the death of participants because of the anger and emotion and the outrage. We see it all the time, Senator Volker, in the city of New York. It's a strange phenomena, but it happens. And an individual takes out that licensed weapon in a fit of rage and causes the death of another individual.

PAULINE E. WILLIMAN
CERTIFIED SHORTHAND REPORTER

2491

We read in the papers every day of the accidental death of the youngster who finds the gun in the closet and it's loaded, and there are no precautions and there is no safety, and that child kills himself or his brother or a friend. The child brings guns to school. Who knows what could happen in those types of instances.

And it was mentioned before. Licensees may not commit crimes, but their guns ultimately do because they are stolen or they are taken away from them, and that's where the danger lies. The city of New York I think has taken a very strong and positive position against the licensure of weapons. And if we are going to protect lives, then we must stand with them. And I would ask that you respect and recognize the desire of the people of the city of New York to live as best they can in a society, in a civilized society, free from this type of danger, a danger that will only be added to and worsened by the passage of this legislation.

ACTING PRESIDENT FARLEY: Read the

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

2492

last section.

SENATOR GOLD: Slow roll call.

THE SECRETARY: Section 2. This act shall take effect on the 1st day of November.

ACTING PRESIDENT FARLEY: Slow roll has been asked for. There are five standing. Ring the bell.

THE SECRETARY: Senator Anderson.

Aye. Senator Babbush.

(There was no response.)

Senator Bartosiewicz.

SENATOR BARTOSIEWICZ: No.

THE SECRETARY: Senator Bernstein.

SENATOR BERNSTEIN: No.

THE SECRETARY: Senator Bruno.

ACTING PRESIDENT FARLEY: Senator Bruno, how do you vote?

SENATOR BRUNO: Yes.

THE SECRETARY: Senator Connor.

(There was no response.)

ACTING PRESIDENT FARLEY: The sergeant-at-arms will try to gather up the Senators.

2493

THE SECRETARY: Senator Cook.

SENATOR COOK: Yes.

THE SECRETARY: Senator Daly,
excused. Senator Donovan.

(There was no response.)

Senator Dunne.

SENATOR DUNNE: Yes.

THE SECRETARY: Senator Farley.

SENATOR FARLEY: Yes.

THE SECRETARY: Senator Floss.

(There was no response.)

Senator Galiber.

(There was no response.)

Senator Gold.

SENATOR GOLD: No.

THE SECRETARY: Senator Goodhue.

SENATOR GOODHUE: Yes.

THE SECRETARY: Senator Goodman.

(There was no response.)

Senator Halperin.

SENATOR HALPERIN: No.

THE SECRETARY: Senator Hoffmann.

SENATOR HOFFMANN: Yes.

2494

THE SECRETARY: Senator Jenkins.

SENATOR JENKINS: No.

THE SECRETARY: Senator Johnson.

SENATOR JOHNSON: Aye.

THE SECRETARY: Senator Kehoe.

SENATOR KEHOE: Yes.

THE SECRETARY: Senator Knorr.

SENATOR KNORR: Aye.

THE SECRETARY: Senator Kuhl.

SENATOR KUHL: Yes.

THE SECRETARY: Senator Lack.

SENATOR LACK: Aye.

THE SECRETARY: Senator LaValle.

(There was no response.)

Senator Leichter.

SENATOR LEICHTER: No.

THE SECRETARY: Senator E. Levy.

(There was no response.)

Senator Norman Levy.

SENATOR N. LEVY: Aye.

THE SECRETARY: Senator Lombardi.

SENATOR LOMBARDI: Aye.

THE SECRETARY: Senator Marchi.

2495

(There was no response.)

Senator Marino.

SENATOR MARINO: Yes.

THE SECRETARY: Senator Markowitz.

SENATOR MARKOWITZ: No.

THE SECRETARY: Senator Masiello.

(There was no response.)

Senator McHugh.

SENATOR McHUGH: Yes.

THE SECRETARY: Senator Mega.

SENATOR MEGA: Yes.

THE SECRETARY: Senator Mendez.

SENATOR MENDEZ: No.

THE SECRETARY: Senator Montgomery.

SENATOR MONTGOMERY: No.

THE SECRETARY: Senator Nolan.

(There was no response.)

Senator Ohrenstein. In the
negative. Senator Onorato.

SENATOR ONORATO: No.

THE SECRETARY: Senator
Oppenheimer.

SENATOR OPPENHEIMER: Yes.

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

2496

THE SECRETARY: Senator Padavan.

SENATOR PADAVAN: Yes.

THE SECRETARY: Senator Paterson.

SENATOR PATERSON: Mr. President.

ACTING PRESIDENT FARLEY: Senator Paterson to explain his vote.

SENATOR PATERSON: This may be a surprise vote. No.

ACTING PRESIDENT FARLEY: Senator Paterson is in the negative. Continue the roll.

SENATOR GOLD: Mr. President.

ACTING PRESIDENT FARLEY: Senator Oppenheimer, did you vote in the affirmative?

SENATOR OPPENHEIMER: I wasn't paying attention. If you would excuse me, I would like to be recorded in the negative with unanimous consent.

ACTING PRESIDENT FARLEY: Senator Oppenheimer is in the negative without objection.

THE SECRETARY: Senator Perry.

SENATOR PERRY: No.

THE SECRETARY: Senator Present.

SENATOR PRESENT: Aye.

PAULINE E. WILLIMAN
CERTIFIED SHORTHAND REPORTER

2497

THE SECRETARY: Senator
Quattrociochi.

SENATOR QUATTROCIOCHI: Yes.

THE SECRETARY: Senator Rolison.

SENATOR ROLISON: Yes.

THE SECRETARY: Senator Ruiz.

SENATOR RUIZ: Yes.

THE SECRETARY: Senator
Schermerhorn.

SENATOR SCHERMERHORN: Yes.

THE SECRETARY: Senator Seward.

SENATOR SEWARD: Yes.

THE SECRETARY: Senator Skelos.

SENATOR SKELOS: Yes.

THE SECRETARY: Senator Solomon.

SENATOR SOLOMON: No.

THE SECRETARY: Senator Spano.

(There was no response.)

Senator Stachowski.

SENATOR STACHOWSKI: Yes.

THE SECRETARY: Senator Stafford.

(There was no response.)

Senator Stavisky.

PAULINE E. WILLMAN
CERTIFIED SHORTHAND REPORTER

2498

SENATOR STAVISKY: No.

THE SECRETARY: Senator Trunzo.

SENATOR TRUNZO: Yes.

THE SECRETARY: Senator Tully.

(There was no response.)

Senator Velella.

SENATOR VELELLA: Yes.

THE SECRETARY: Senator Volker.

SENATOR VOLKER: Yes.

THE SECRETARY: Senator Weinstein.

SENATOR WEINSTEIN: No.

ACTING PRESIDENT FARLEY:

Absentees.

THE SECRETARY: Senator Bartosiewicz. Excuse me. Senator Babbush.

SENATOR BABBUSH: No.

THE SECRETARY: Senator Connor.

(There was no response.)

Senator Donovan.

(There was no response.)

Senator Floss.

(There was no response.)

Senator Galiber.

2499

(There was no response.)

Senator Goodman.

SENATOR GOODMAN: No.

THE SECRETARY: Senator Floss.

SENATOR FLOSS: Aye.

THE SECRETARY: Senator LaValle.

SENATOR LAVALLE: Yes.

THE SECRETARY: Senator Eugene Levy.

SENATOR LEVY: Aye.

THE SECRETARY: Senator Marchi.

(There was no response.)

Senator Masiello.

SENATOR MASIELLO: No.

THE SECRETARY: Senator Nolan.

(There was no response.)

Senator Spano.

(There was no response.)

Senator Stafford.

(There was no response.)

Senator Tully.

(There was no response.)

ACTING PRESIDENT FARLEY: Results.

PAULINE E. WILLIMAN
CERTIFIED SHORTHAND REPORTER